TO: USPTO

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Facsimile No.: (703) 872-9306 Date: August 31, 2004 From: Thinh V. Nguyen, Reg. No. 42,034 Our Docket No.: 42P13554D Number of pages7including this sheet. Application No.: 10/777,619 Filing Date: 2/12/2004 Docket Due Date(s): 9/2/2004 Enclosed are the following documents: Amendment: Response (_2_pgs) Issue Fee Transmittal Appeal Brief (In triplicate) (pgs) Notice of Appeal Application: Petition for:		Deliver to:	Craig Thompson, USPTO		Art Group:2813
Our Docket No.: 42P13554D Application No.: 10/777,619 Filing Date: 2/12/2004 Docket Due Date(s): 9/2/2004 Enclosed are the following documents: Amendment: Response (2 pgs) Appeal Brief (In triplicate) (pgs) Application: (pgs) w/cover & abstract) Assignment & Cover Sheet (pgs) Certificate of Eacsimile Continued Prosecution Application (CPA) Brequest & Certification Under 35 USC 122(b)(2)(B)(I) Continued Prosecution Application (CPA) Cester Sheets, figures Cester Sheets Cester S	Fac	simile No.:	(703) 872-9306		Date: August 31, 2004
Application No.: 10/777,619 Filing Date: 2/12/2004 Docket Due Date(s): 9/2/2004 Enclosed are the following documents: Amendment: Response (2-pgs) Issue Fee Transmittal Appeal Brief (in triplicate) (pgs) Notice of Appeal Application: Petition for:		From:	Thinh V. Nguyen, Reg. No. 42	2,034	
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<u>MAILING/TRANSMISSION (37 CFR 1,8A)</u>

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> 08/31/2004 Date

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TRANS	SMITTAL FO		Application No.	10/777,619					
			Filing Date	February 12, 2004					
(to be used for all	correspondence affe	r Initial filling)	First Named Inventor	Lamberto V. Nepomuceno					
			Art Unit	2813					
			Examiner Name	Craig Thompson					
Total Number of F	ages in This Submissl	on 5	Attorney Docket Number	er 42P13554D					
	ENCLO	SURES (chec	k all that apply)						
Fee Transmittal	Form	Drawing(s)		After Allowance Communication to Group					
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Individual name	BLAKELY, SO	OKOLOFF, TAYLOR & ZAFMAN LLP							
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Date	August 31, 200								
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Typed or printed nan	ne Tu T. Nguyen								
Signature	Jana			e August 31, 2004					

Based on PTO/SB/21 (04-04) as modified by Stakety, Schedoff, Taylor & Zafman (wir) 08/04/2004. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1460

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Signature						Πate	08/31	/04			

Based on PTC/5B/17 (10-03) as modified by Blakely, Solokoff, Taylor & Zalman (wit) 02/10/2004. SEND 7O: Commissioner for Patents, P.O. Box 1480, Alexandria, VA 22313-1450

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for FY 2004	Filing Date				February 12, 2004				
Effective 01/01/2004. Petent fees are subject to annual revision.		First Nar		vento					
Applicant claims small entity status. See 37 CFR 1.27.	Examiner Name					Lamberto V. Nepomuceno			
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Name (Print/Type) Thinh V. Nguyen		Registration No. (Attorney/Agent)			42,034 Telephone (71			7-3800	
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Appl. No. 10/777,619 Amdt. Dated 08/31/2004 Reply to Office action of 08/02/2004



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application. No. :

10/777,619

Confirmation No. 4618

Applicant

Lamberto V. Nepomuceno

Filed

02/12/2004

TC/A.U.

2813

Examiner

Craig Thompson

Docket No.

042390.P13554D

Customer No.

8791

Commissioner for Patents

PO Box 1450

Alexandria VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In the Office Action mailed August 2, 2004, the Examiner contends that Applicant claims two distinct inventions; namely, Group I (claims 1-18), drawn to a method, classified in class 438, subclass 110 and Group II (claims 19-36), drawn to article system, classified in class 700, subclass 121. Thus, pursuant to 35 U.S.C. 121, the Examiner requires Applicants to restrict the application to one of the alleged two inventions.

In response, Applicants submit that the restriction requirement is improper because part of the claims in question were canceled. Claims 1-18 and 27-36 were canceled and new claims 37-44 were added in the preliminary amendment filed on February 12, 2004.

Appl. No. 10/777,619 Amdt. Dated 08/31/2004 Reply to Office action of 08/02/2004

Conclusion

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

BLAKELX, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: August 31, 2004

Thinh V. Nguyen

Reg. No. 42,034

Tel.: (714) 557-3800 (Pacific Coast)

12400 Wilshire Boulevard, Seventh Floor Los Angeles, California 90025

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8A)

Tu Nguyen

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□ deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

Date: August 31, 2004

August 31, 2004

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